


Critical Incident Policy

Approved: 

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I. Policy

Critical Incident is a situation which disrupts the routine operation or services of an office, creating a state of disorder, a threat to security and /or an inability to maintain orderly control of probationers or is unusual and traumatic which may cause intense stress reactions. A critical incident may have the potential to create a crisis response, such as the serious injury or death of an employee, and any Use of Force for the protection thereof.

The care, concern, and safety of clients and staff are paramount. Proactive and responsive steps are necessary for individuals involved in a critical incident and a priority for the Nebraska Probation System. While every effort should be made to avoid situations whereby the threat of harm exists (when in doubt get out), we acknowledge by the nature of our business there may be situations where it is unavoidable.

II. Purpose

To provide guidance and support to staff following a critical incident situation.

III. Reference

Not applicable.

IV. Procedure

A. Eventful Situation Response

1. Staff shall keep supervisors apprised of their whereabouts when doing field work.
2. Immediately following a critical incident, staff shall contact their local supervisor to apprise them of the circumstances surrounding the situation, any injuries sustained by the staff member or client, current location, and need for additional services.
3. In any instance where physical injury has or may be sustained, the staff member shall immediately report to an emergency room or local physician to assess the extent of injury.
4. The immediate supervisor shall assess the situation and determine next steps that may include temporary release of duty and administrative leave if necessary. Whenever possible, the immediate supervisor should also determine the necessity for accompanying the staff member to the emergency room for treatment.
5. Within 48 hours (unless circumstances forbid), the documentation of the incident shall be completed by all staff members involved, and submitted to the immediate supervisor.
6. The Chief Probation Officer, upon receipt of the information, shall make a determination as to the involvement the Critical Incident Response Team or

employee assistance for critical incident debriefing purposes for the staff involved.

7. The Chief Probation Officer or designee shall conduct a formal investigation as to the circumstances surrounding the critical incident, the decisions made, and the adherence to policy. Upon conclusion, the report will be made available for review of the staff involved and a copy provided to the Administrative Office of Probation.

B. Writing a Critical Incident Report

The following questions are provided as a guide to assist staff in writing a thorough critical incident report. Some of the questions may not apply to every particular incident and need not be addressed, but can assist staff in ensuring all pertinent information is included in the report.

1. When writing your statement, specifically include information to support these four elements of force:
 - a) Ability

Probation officer assessment used to determine a belief the subject possesses the power to injure or kill.
 - b) Opportunity

Subject is capable of immediately employing the power to injure or kill.
 - c) Jeopardy

Subject is acting in such a manner that a reasonable and prudent person would conclude he/she intends to injure or kill.
 - d) Preclusion

Probation officer assessment to determine if a lower level of force would be appropriate or ineffective, and retreat is not possible.
2. When writing your statement, be certain the body of your statement contains sufficient information/answers to the following questions:
 - a) Opening Section

The paragraphs in this section should provide in-depth documentation of the incident including the who, what, when, where, why, and how of the situation. The Opening Section should answer the following questions:
 - (1) Who is the employee reporting the incident? Who else was involved in the incident? List the names and positions of all employees involved.

- (2) Was court security or a law enforcement agency involved? List the names, badge numbers, and contact information for all officers involved.
- (3) Was the employee involved on/off duty? On/off radio?
- (4) What is the date, time, and specific location/address of the incident?
- (5) What is the name and case number of subject/probationer?
- (6) What are the names/relationships of third parties involved and/or notified and how can they be contacted, i.e., victim, witness, police officer, supervisor, paramedics, etc.?

b) Body of the Statement

The paragraphs in this section should provide a factual and objective answer to the question of what actually occurred in the incident and should answer relevant questions such as:

- (1) What is the order of events as they occurred? What did you do first, second, and third, etc.?
- (2) How did the subject respond to your actions at each step?
- (3) What was the degree of force used by you and the subject or anyone else involved in this incident?
- (4) What were the comments made by third parties?
- (5) Was there any personal injury or property damage? If so, describe.
- (6) Was medical care or treatment provided to anyone involved? If so, what care was provided and who provided it?
- (7) What circumstances prevented you from leaving the scene?
- (8) What were your thoughts/beliefs at the time of the incident?
- (9) Were any threats made by anyone during the incident?
- (10) If a search was conducted, what were the reasons supporting a search?
- (11) Did a supervisor approve a search?
- (12) Were any items found? Were any items seized?
- (13) Did the incident include a state-issued vehicle?

- (14) Were other pertinent statements made by those involved in the incident?
- (15) What significant policy/procedure factors are involved in the incident (such as communication with your supervisor, etc.)?
- (16) Is there any other pertinent information?

c) Conclusion

The paragraph(s) in this section should provide information regarding the final resolution of the incident.

C. Use of Force Information Included in Critical Incident Reports

a) OC Spray

- (1) Was the OC spray issued by the Administrative Office of Probation? If not, please indicate.
- (2) Were the subject's actions aggressive and may have caused physical harm?
- (3) Was it unsafe to approach the aggressive subject, and was disengagement not reasonable or practical?
- (4) Did you handcuff the subject?
- (5) Did you notify your supervisor, police, and/or paramedics?
- (6) Did you flush the subject's eyes with water?
- (7) Describe the manner in which you deployed OC?
- (8) Did you provide your name, department, and telephone number to appropriate others?

b) Handcuffs

- (1) Were the handcuffs issued by the Administrative Office of Probation? If not, indicate this.
- (2) Did you use restraining devices to secure a subject because it was necessary and reasonable to alleviate the risk of escalating danger?
- (3) Did you use restraining devices in the arrest of a subject?
- (4) Did you use restraining devices to secure a subject during a search?

- (5) Was the handcuffed subject cooperative or passively resistant?
- (6) Was the handcuffed subject combative or uncooperative?
- (7) Did you handcuff behind the subject's back?
- (8) Did the subject have a medical condition or anatomical abnormality that prevented you from handcuffing behind his/her back?
- (9) Did you check at least once every 30 minutes to assure the subject's health and safety?
- (10) Did you handcuff the subject prior to any search of person?
- (11) Did you double-lock the handcuffs following a thorough search?
- (12) Did law enforcement request assistance or did life-threatening exigent circumstances exist?
- (13) Did you have your badge that was issued by the Administrative Office of Probation, identification card, police radio, handcuffs, and cell phone in your possession at the time of the incident? If not, indicate.

c) Unarmed Defense Techniques (UDT)

- (1) Did you use Unarmed Defense Techniques (UDT) and if so, why?
- (2) Describe specifically which techniques were used and the effectiveness on controlling the subject.
- (3) Were any injuries sustained by yourself or the subject because of the use of Unarmed Defense Techniques (UDT)? If so, indicate.
- (4) Was any other physical force used? If so, indicate.